



04-22-03

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Von Seggern *et al.*

Serial No.: 09/482,682

Filed: January 14, 2000

Conf. No.: 7337

For: **ADENOVIRUS VECTORS, PACKAGING  
CELL LINES, COMPOSITIONS, AND  
METHODS FOR PREPARATION AND  
USE**

Art Unit: 1648

Examiner: Foley, S.A.

### CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Date of Deposit April 18, 2003

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and addressed to:

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

04/18/2003  
Date

  
Michael Lough

## TRANSMITTAL LETTER

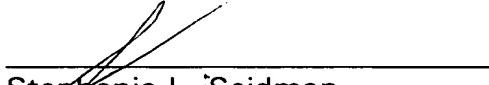
Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Transmitted herewith are an Information Disclosure Statement, Form PTO-1449 (3 pages) and cited references for filing in connection with the above-identified application.

The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By: 

Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No. 22908-1235B

Address all correspondence to:

Stephanie L. Seidman

HELLER EHRMAN WHITE & McAULIFFE LLP

4350 La Jolla Village Drive, 7th floor

San Diego, CA 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

EMAIL: sseidman@hewm.com

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**INFORMATION DISCLOSURE STATEMENT IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

Since this Information Disclosure Statement is filed prior to receipt of a First Office Action on the Merits for the Continued Prosecution Application of the above-captioned application, no filing fee is due. If it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (3 pages) is provided herewith in connection with the above-captioned application. The cited documents listed on Form PTO-1449 and marked with an asterisk are not provided herewith as they have been previously provided in connection with U.S. Serial No. 09/795,292 which is relied upon for an earlier filing date in accordance with 35 U.S.C. §120.

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**U.S.S.N. 09/482,682**

**Von Seggern et al.**

**Information Disclosure Statement**

The above-captioned application designates five inventors, Daniel J. Von Seggern, Glen R. Nemerow, Paul L. Hallenbeck, Susan C. Stevenson and Yelena Skripchenko and two assignees, The Scripps Research Institute and Novartis AG. Daniel J. Von Seggern and Glen R. Nemerow assigned to The Scripps Research Institute. Paul L. Hallenbeck, Susan C. Stevenson and Yelena Skripchenko assigned to Novartis AG. Thus, the above-captioned application has joint inventors and two assignees.

The cited documents, listed on Form PTO-1449, are in the English language, with the exception of items H and Q. Item H, which is in the French language, is provided with an English language Derwent abstract (item O). Item Q, which is in the Chinese language, is provided with an English language abstract on the first page of the publication. Item N is a certified English translation of item AT from the Information Disclosure Statement and Form PTO-1449 filed on December 3, 2001. Hence, in accordance with the requirements of 37 C.F.R. § 1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following U.S. and International applications, which are commonly owned and/or have one or more inventors in common:

<u>U.S.S.N.</u>	<u>Filing Date</u>	<u>Docket No.</u>
09/562,934	05/01/00	22908-1226
09/847,101	05/01/01	22908-1226B
09/586,625	06/02/00	22908-1227B
09/903,327	07/10/01	22908-1228B
Unassigned	04/08/03	22908-1229
60/408,931	09/04/02	22908-P1230
60/408,440	09/04/02	22908-P1231
60/408,248	09/04/02	22908-P1232
09/795,292	01/14/99	22908-1235
10/351,890	01/24/02	22908-1236
Unassigned	03/27/03	22908-1236B
Unassigned	03/28/03	22908-P1239

<u>Int'l App. No.</u>	<u>Filing Date</u>	<u>Docket No.</u>
PCT/EP01/04863	04/30/01	22908-1226PC
PCT/EP01/07878	07/09/01	22908-1228PC
PCT/US03/02295	01/24/02	22908-1236PC

*Susan Poly* 9/5/03

**U.S.S.N. 09/482,682**

**Von Seggern et al.**

**Information Disclosure Statement**

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

\* \* \*

Respectfully submitted,  
**HELLER EHRMAN WHITE & McAULIFFE LLP**

By:

✓Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No.: 22908-1235B

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